

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOSHUA FISHER, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

UBER TECHNOLOGIES, INC., et al.,

Defendants.

C15-1787 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) By letter dated May 9, 2016, docket no. 28, plaintiff's counsel requested an extension of time to complete class discovery. The Court does not conduct business by letter.

(2) Defendants' unopposed motion to extend the deadline for completion of discovery on class certification issues, docket no. 24, is GRANTED. The deadline for all parties to complete discovery on class certification issues is EXTENDED from May 23, 2016, to August 1, 2016.

(3) Defendants' motion for partial judgment on the pleadings, docket no. 18, is GRANTED in part and DENIED in part. Plaintiff's claims against defendant Raiser, LLC or Rasier, LLC are DISMISSED with prejudice. The Complaint alleges that Raiser, LLC is a subsidiary of Uber Technologies, Inc. ("Uber") authorized to conduct business in Washington. According, however, to the Washington Secretary of State, no entity known as "Raiser, LLC" is registered in Washington. Rather, "Rasier, LLC," which is a Delaware limited liability company, has a Washington filing date of September 19, 2013, which was after the period (July 2012 – June 2013) during which plaintiff alleges he worked for Uber. *See* Compl. at ¶ 21 (docket no. 1-3); [http://www.sos.wa.gov/corps/search\\_results.aspx?search\\_type=simple&criteria=all&name\\_type=contains&name=rasier%2C+llc&ubi=](http://www.sos.wa.gov/corps/search_results.aspx?search_type=simple&criteria=all&name_type=contains&name=rasier%2C+llc&ubi=); *see also* Fed. R. Evid. 201(b) ("The court may judicially notice a fact that is not subject to reasonable dispute . . ."). Plaintiff makes no specific claims

1 against Rasier, LLC, and fails in his response brief to explain how, given the dates at  
2 issue, he could make any claims against Rasier, LLC, or why Rasier, LLC might be a  
3 necessary party to this litigation. Plaintiff's claims of tortious interference with contract  
4 and business relations (Count I) and fraud and misrepresentation (Count VI) are not  
5 sufficiently pleaded and are DISMISSED without prejudice and with leave to amend  
6 within twenty-one (21) days of the date of this Minute Order. See Wash. Pattern Instr.  
7 Nos. 352.01-352.06; see also Fed. R. Civ. P. 9 (fraud must be pleaded with particularity).  
8 Plaintiff is not permitted to conduct discovery for purposes of amending his pleadings.  
9 Defendants' motion is otherwise denied.

6 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of  
7 record.

7 Dated this 19th day of May, 2016.

8 William M. McCool  
9 Clerk

10 s/Karen Dews  
11 Deputy Clerk